



**{In Archive} NRC GW Restoration Standards**

**Striz, Elise** to: Ray Leissner  
Cc: "VonTill, Bill"

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From: "Striz, Elise" <Elise.Striz@nrc.gov>  
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Cc: "VonTill, Bill" <Bill.VonTill@nrc.gov>

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2 attachments



sr1569.pdf



ML083510622 RIS 2009-05.pdf

Hi Ray,

Per our conversation, I have written up a short summary of our ground water restoration regulations. Please note that 10CFR Part 40 Appendix A is an incorporation of the EPA standards in 10 CFR Part 192. I have also attached our ISR Standard Review Plan NUREG-1569 and RIS 2009-05 which are cited below. If you have any additional questions, please let me or Bill know.

Thanks,  
Elise

All ISR licensees must commit to and meet the NRC regulatory standards for groundwater restoration at ISR wellfields which are provided in 10 CFR Part 40 Appendix A Criterion 5B(5). According to Criterion 5B(5), the concentration of each hazardous constituent may not exceed (a) The Commission approved background concentration of that constituent in the groundwater; (b) The respective value given in the table in paragraph 5C if the constituent is listed in the table and if the background level of the constituent is below the value listed; or (c) an alternate concentration limit (ACL) is established by the Commission."

According to the groundwater protection standards in 10 CFR Part 40 Appendix A Criterion 5(B) 5, an alternate concentration limit (ACL) for a constituent may be proposed by a licensee. For an ACL to be considered by the NRC, a licensee must submit a license amendment application which meets the requirements listed in 10 CFR Part 40, Appendix A, Criterion 5B(6). Under Criterion 5B(6), only alternate concentration limits that present no significant hazard may be proposed by the licensee; therefore, an ACL is a risk based concentration limit.

Prior to 2009, NRC approval of a restoration which met state "class-of use" groundwater standards was acceptable as a secondary standard according to NUREG-1569 'Standard Review Plan for in Situ Leach Uranium Extraction License Applications.' In 2009, NRC issued Regulatory Issue Summary (RIS) 2009-05 which states that the 'class of use' standard is not an appropriate standard to evaluate license applications. RIS 2009-05 states that 10 CFR Part 40 Appendix A Criterion 5B(5) contains the

appropriate standards that will be applied to groundwater restoration at ISR facilities. As stated in RIS 2009-05, NRC will no longer approve a restoration based on a secondary standard of "class of use." NRC will only approve a secondary standard of an ACL.